

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Eberhard SCHNAIBEL et al.**  
 International Application No. : **PCT/DE03/04250**  
 International Filing Date : **December 19, 2003**  
 U.S. Serial No. : **10/540,651**  
 For : **METHOD AND DEVICE FOR DIAGNOSING  
       THE DYNAMIC CHARACTERISTICS OF A  
       LAMBDA SENSOR USED FOR CYLINDER-  
       INDIVIDUAL LAMBDA CLOSED-LOOP  
       CONTROL**

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed December 15, 2005), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration and any additional fees to Deposit Account No. 11-0600.

The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

02/10/2006 GFREY1 00000040 110600 10540651  
 01 FC:1617 130.00 DA

Respectfully submitted,  
**KENYON & KENYON LLP**

Date: *2/7/06*

  

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,651	Eberhard Schnaibel	10191/3902
		INTERNATIONAL APPLICATION NO.
		PCT/DE03/04250
		I.A. FILING DATE      PRIORITY DATE
		12/19/2003      12/23/2002
<b>CONFIRMATION NO. 5393</b> <b>371 FORMALITIES LETTER</b>  *OC000000017650071*		

Date Mailed: 12/15/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/23/2005
- English Translation of the IA filed on 06/23/2005
- Copy of the International Search Report filed on 06/23/2005
- Preliminary Amendments filed on 06/23/2005
- Information Disclosure Statements filed on 06/23/2005
- Oath or Declaration filed on 06/23/2005
- Request for Immediate Examination filed on 06/23/2005
- U.S. Basic National Fees filed on 06/23/2005
- Substitute Specification filed on 06/23/2005
- Priority Documents filed on 06/23/2005
- Power of Attorney filed on 06/23/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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**PART 1 - ATTORNEY/APPLICANT COPY**

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10/540,651	PCT/DE03/04250	10191/3902

FORM PCT/DO/EO/905 (371 Formalities Notice)